

ARB Board Order for Demolition

12-063ARB – BSC Historic Core District

North Riverview Redevelopment Demolition 17, 27, 37, 45, 53 North Riverview Street 40 North Blacksmith Lane

This is a request to the Architectural Review Board for a Board Order to permit the demolition of six single-family residential structures in Historic Dublin. The proposed demolition would facilitate the future redevelopment of the properties as a comprehensive mixed-use development. This proposal is to be reviewed under the provisions of the Dublin Zoning Code related to the Architectural Review Board, §153.173 and §153.176-177.

Date of Application Acceptance

Tuesday, September 11, 2012

Date of ART Recommendation

Thursday, November 1, 2012

Date of Architectural Review Board Determination

Thursday, November 15, 2012

Case Manager

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PART I: Application Overview

<i>Zoning District</i>	BSC Historic Core District
<i>Use</i>	Dwellings, Single-Family
<i>Building Type</i>	N/A
<i>Review Type</i>	Demolition
<i>Development Proposal</i>	N/A.
<i>Administrative Departures</i>	N/A
<i>Waivers</i>	N/A
<i>Property Address</i>	17, 27, 37, 45, 53 North Riverview Street, 40 East Bridge Street
<i>Property Owners</i>	BET Investments LLC—17, 37, 45 N. Riverview St.; 40 E. Bridge St. Coffman Company Limited—27, 53 N. Riverview St.
<i>Applicant</i>	Jack Eggspuehler
<i>Representative</i>	Gerry N. Bird, AIA, MBA , Bird Houk, A Division of OHM
<i>Case Manager</i>	Dan Phillabaum, AICP, ASLA, Senior Planner (614) 410-4662 dphillabaum@dublin.oh.us

Part II: Application Background

A mixed-use redevelopment proposal, including the six properties identified in the application for demolition, was the subject of an Informal Review by the Architectural Review Board, and Concept Plan Review by the Planning and Zoning Commission and City Council in 2010. A Board Order from the Architectural Review Board for the demolition of the existing structures is necessary before the applicant may proceed with Development Plan and Site Plan Review applications for the mixed-use redevelopment proposal.

Part III: Application Review Procedure: Board Order for Demolition

No building permit or Certificate of Zoning Plan Approval may be issued by the Chief Building Official or Director and/or their designees for any proposal which is subject to ARB review unless a Board Order has been issued in accordance with the requirements of Chapter 153: Zoning Regulations. Board Orders are required for requests for demolition of a structure in accordance with the requirements of Section §153.176.

§153.176 – Demolition

In cases where an applicant applies for a Board Order to demolish a structure within the Architectural Review District, the application may be approved when the applicant is able to demonstrate economic hardship or unusual and compelling circumstances, or at least two of the following conditions prevail:

- (1) The structure contains no features of architectural and historic significance to the character of the area in which it is located.*
- (2) There is no reasonable economic use for the structure as it exists or as it might be restored, and that there exists no feasible and prudent alternative to demolition.*

- (3) *Deterioration has progressed to the point where it is not economically feasible to restore the structure and such neglect has not been willful.*
- (4) *The location of the structure impedes the orderly development, substantially interferes with the Purposes of the District, or detracts from the historical character of its immediate vicinity; or, the proposed construction to replace the demolition significantly improves the overall quality of the Architectural Review District without diminishing the historic value of the vicinity or the District.*

PART IV: Description of the Properties

Ohio Historic Inventory (OHI)

All of the properties listed on the application are on the Ohio Historic Inventory through a City-sponsored initiative to inventory these structures in March 2003. The inventory provides a brief description of the location, background, and architecture of a building, site, structure, or object of architectural or historical significance. Inclusion on the OHI is not a form of protection for a historic resource, nor does it provide owners with a list of restrictions.

The Inventory noted that the existing structures were all constructed as single family residences generally between 1890 and 1932 and are modest wood frame homes in vernacular styles. The structures were noted as contributing to the village scale and character of North Riverview and typical of the vernacular housing found in Dublin and Washington Township from this period.

Additionally, the applicant engaged the services of an architectural historian with ASC Group, Incorporated to conduct a thorough analysis of these structures. The following descriptions of the individual properties are summarized from information on the OHI and the descriptions of the houses contained in the report prepared by ASC Group, Inc. The full OHI forms and report from the applicant's consultant are attached.

40 East Bridge Street

This two-story gabled ell house was constructed in the late 1800s facing Bridge Street, but the grading required to construct the existing bridge over the Scioto River in the mid-1930s disconnected and isolated the house from Bridge Street. It is enclosed by retaining walls to the south and west and is accessed from North Riverview Street. The house has a stone foundation and is clad with a combination of asbestos and wood siding with an asphalt shingle roof. A portion of the wrap-around front porch has been enclosed, and two one-story additions and a wood deck are present on the rear of the house. An open two-car carport is present along North Riverview Street. An outbuilding clad with asbestos siding and a standing seam metal roof is located along the western retaining wall parallel to North Blacksmith Lane.



17 North Riverview Street

This 1½ story bungalow was constructed in the 1920s. The house has a rock-faced concrete block foundation, and is clad with wood siding with a standing seam metal roof. The front of the house has a full-width porch that is partially enclosed. At the rear of the lot and accessed from North Blacksmith Lane is a gabled garage clad with a concrete block foundation and clad with vertical wood siding and a standing seam metal roof.



27 North Riverview Street

This two-story gabled ell house was constructed around 1890. It has a stone foundation and is clad with wood shiplap siding with an asphalt shingle roof. The front porch has gingerbread trim and a standing seam metal roof. A two-story carriage house is along North Blacksmith Lane at the intersection with Wing Hill. It is clad with wood shiplap siding and a standing seam metal roof. A shed addition with a corrugated metal roof is located on the east side of the carriage house.



37 North Riverview Street

This 1½ story side gabled house was constructed circa 1920. The house has a variety of foundation materials including rubbed stone and concrete block and is clad in a combination of clapboard, board and batten, and shiplap wood siding and has an asphalt shingle roof. A partially enclosed porch faces Wing Hill and an open concrete deck faces North Riverview Street. Additions were made along the west elevation and at northwest corner of the main house. A small shed is located along North Blacksmith Lane and is clad with wood siding and an asphalt shingle roof.



45 North Riverview Street

This 1½ story gabled ell house was constructed around 1880. It has a stone foundation and is clad with aluminum siding with a standing seam metal roof. One story additions are at the angle of the ells and along the rear of the house. A garage is located along North Blacksmith Lane with vertical wood siding and an asphalt shingle roof.



53 North Riverview Street

This one-story side-gabled house was constructed around 1920. The house has concrete block foundation and both the original portion of the house and an apparent addition to the northwest are clad with staggered wood shingle siding. The roof is clad in a combination of asphalt shingles and a rubber membrane over the shallow sloped shed addition. A large front gabled porch is set on concrete block piers. A detached single car garage is present at the rear of the lot at the intersection of North Street and North Blacksmith Lane. It is clad in vertical wood siding with an asphalt shingle roof.



PART IV: Analysis of Applicable Review Standards

The Review Standards for Demolition of Section §153.176 provide two options for an applicant to request a Board Order for Demolition from the ARB. An applicant may either demonstrate an economic hardship or unusual and compelling circumstances to support the demolition OR the applicant may demonstrate compliance with at least two of four Conditions for Demolition in that section. The information provided by the applicant as part of the Application for Demolition and the Application for Demolition Addendum are intended to describe an economic hardship and the Conditions for Demolition. The following is an analysis by the Administrative Review Team based on those Review Standards and the information provided by the applicant.

A. Economic hardship exists which support the demolition of the structures.

The Economic Hardship Statement from the applicant asserts that these structures, that are rental properties, have a negative cash flow, the properties were acquired for values greater than their present marketable value, and the combined property has greater land value as redeveloped than the existing value of the individual houses. (Refer to the justification for Demolition Condition (2)—Economic Use in the Application and the Application Addendum.)

Section §153.177 outlines the information that Architectural Review Board may require to demonstrate that an application for demolition is related to economic hardship or unusual and compelling circumstances. The level of documentation required for documentation of economic hardship is extensive, commensurate with the number of structures requesting be demolished. Section §153.177(E) identifies the following criteria to determine if there is a substantial economic hardship. The Code does not specify whether all criteria must be met, or only one.

- (1) Denial of a certificate will result in a substantial reduction in the economic value of the property;
- (2) Denial of a certificate will result in a substantial economic burden on the applicant because the applicant cannot reasonably maintain the property in its current form;
- (3) No reasonable alternative exists consistent with the architectural standards and guidelines for the property; and

(4) The owner has been unable to sell the property.

Criteria not met. The information provided does not adequately demonstrate that the criteria for economic hardship are met. While it may be possible to demonstrate compliance with one or more of the individual homes, taken as a group the information does not rise to the level of demonstrating a true economic hardship. These criteria in the past have been used for homeowners that may have insufficient income to make improvements that meet the standards required by the Zoning Code. However, the documentation provided by this applicant is appropriate to demonstrate Demolition Condition (2)—Reasonable Economic Use.

B. At least two of the following Conditions for Demolition prevail:

(1) The structure contains no features of architectural and historic significance to the character of the area in which it is located.

Condition Findings. The applicant enlisted the services of ASC Group, an Architectural History consultant, to analyze the architectural and historic significance of the existing structures. The consultant's report evaluates these structures using several considerations, including the character of the surrounding area, documentation from the 1979 nomination for inclusion of the Dublin High Street Historic District on the National Register of Historic Places, as well as NRHP standards for architectural integrity and eligibility for inclusion as a historic district.

The consultant notes that these six houses are physically cut off from the rest of the historic residences on South Riverview, and surrounded on the west and north by predominantly non-historic commercial structures built in the mid twentieth century or later. This is contrasted in the report with the surrounding character of South Riverview, the area designated on the NRHP as the Dublin High Street Historic District. This area has a larger assemblage of historic homes that are bordered on the west by commercial structures that are more consistent in age with the houses. Several also have a historical significance.

The ASC report indicates that the application for inclusion on the NRHP in 1979 did not identify any of the subject properties as being significant, and addresses the area north of the NRHP District as 'new construction that has left the northern half of the old village as a hodge podge of old buildings, poor remodeling, and cement block commercial structures.'

The report asserts that the three oldest houses have a gabled ell form that is a very common vernacular house type and not usually considered architecturally significant, and the three 20th century houses are bungalows and two unremarkable examples of small cottages, none of which are architecturally significant. The consultant states that three of the six houses lack integrity under the NHRP standards. Specifically, the report notes that the architectural integrity of 45 and 53 North Riverview has been diminished due to the design of the additions to these houses, and that the integrity of 40 East Bridge Street has been diminished as a result of the change to its setting caused by the raised grade of Bridge Street.

In summary, the opinion of the applicant's consultant is that the houses were not identified as significant in a survey of Washington Township Historic Resources in 1979; the six houses do not create a critical mass to form a National Register of Historic Places-eligible district in their own right;

the six houses are isolated by terrain and non-historic buildings; none of the six houses has sufficient architectural significance to be individually eligible for the NHRP; in contrast to the residential structures on South Riverview, none of the houses displays the use of brick or stone construction or pre-1860 design features.

The opinions among the members of the Administrative Review Team regarding the architectural or historic significance of these houses were varied. The discussion revealed equally valid perspectives on this Condition. The opinions generally centered on the lack of individual significance but did recognize that, even though not significant, there was a dwindling supply of these examples of architecture.

More specifically, the ART generally agreed that when each structure is evaluated in isolation that none possesses architectural or historic significance, and supported the analysis of both the consultant and the Ohio Historic Inventory. The OHI does not denote any of the residences as being individually noteworthy examples of period architectural styles or possessing significant architectural elements, but rather as evidence of the modest, vernacular residences that were constructed around the turn of the century.

One viewpoint that the ART agreed upon is consistent with the findings of the consultant. Owing to their isolation, these six houses do not create the critical mass necessary to produce a neighborhood. Additionally, given the surrounding context and character of non-historic commercial structures that has been produced over the years to the west, these houses have been diminished in historic significance.

Some members of the ART stated that the consultant had placed too great an emphasis on the lack of inclusion of these structures--or eligibility for inclusion--on the NRHP, and this should not necessarily be the principal determinant of architectural or historic significance of these structures. Having developed as a rural community, Dublin did not experience the level of investment in architectural trends that may be found elsewhere and the vast majority of structures are simple, vernacular styles common to a village setting.

While these particular structures are isolated from the concentration of historic properties of South Riverview, the relative scarcity of homes like these creates an increased level of importance on the remaining pre-World War II structures, and how they maintain part of the cultural history of the village. Simply stated, this quadrant of Historic Dublin is small and possesses limited tangible reminders of the early architecture of the village. As a group, they create a consistent streetscape along North Riverview that is reflective of the historic village character.

(2) There is no reasonable economic use for the structure as it exists or as it might be restored, and that there exists no feasible and prudent alternative to demolition.

Condition Met. The applicant enlisted the services of Brian W. Barnes & Co., Inc, Real Estate Appraisers and Consultants, to analyze the properties to determine the financial feasibility as a real estate investment in both "as is" and "as if renovated" conditions. The consultant cites the *Dictionary of Real Estate Appraisal* definition of Financial Feasibility as "(T)he ability of a property to generate sufficient income to support the use for which it was designed."

The Financial Analysis for feasibility of the properties “as is” results in a negative cash flow for the property owners with no return on equity. Further, the consultant does not consider there to be any reason for an appreciation in the value of the assets in their “as is” condition.

The consultant next analyzed the cost to renovate the properties to a level comparable to average quality single family dwellings/Class A apartments in this market to determine if the cost of renovation results in a financially feasible investment. Renovations included in the analysis were those in categories known to be deficient in the existing structures relative to the comparison dwelling types in this market.

The Financial Analysis for feasibility of the properties “as if renovated” concludes that the required increase in rent required to attract investment capital would far exceed market rates and have a very low chance of being achieved. The consultant also evaluated the ability to sell the renovated units to individual owners and determined that the cost basis of the renovated units is about twice the sale price of competing housing stock. In conclusion, it is the consultant’s opinion that renovating the six units for rental or for sale would not be a viable investment.

The economic feasibility analysis provided appears to be accurate based on the existing income and expense information provided by the applicant, and based on the analysis of financial feasibility under the scenarios developed by the real estate consultant for the properties both “as is” and “as if renovated.” This review standard would also consider the difficulty in attempting to find six separate buyers for these properties that would be willing to put a significant investment into these modest homes.

(3) Deterioration has progressed to the point where it is not economically feasible to restore the structure and such neglect has not been willful.

Condition Not Met. The statements provided by the applicant addressing this Condition are not evidence related to the deterioration of the structures, but do provide additional justification for economic feasibility (Condition 2).

A cursory analysis of the condition of the exterior of the structures shows that the degree of deterioration does not appear to have progressed beyond economic feasibility for restoration. This is reinforced by the owner’s ability to maintain renters in these residences to demonstrate that they are at least in habitable condition.

(4) The location of the structure impedes the orderly development, substantially interferes with the Purposes of the District, or detracts from the historical character of its immediate vicinity;

OR [emphasis added], the proposed construction to replace the demolition significantly improves the overall quality of the Architectural Review District without diminishing the historic value of the vicinity or the District.

Met by Condition. This standard may be satisfied by demonstrating either of these components. The applicant specifically addressed only the second component of this standard.

With respect to the first component, the structures are located on a single-loaded street facing the Scioto River, and at the edge of the Architectural Review District, they do not necessarily interfere with the orderly development of the area unless viewed with respect to potential redevelopment. These structures are generally surrounded by non-historic structures, so these six structures largely constitute the only historical character of the area.

The Purposes of the District are outlined in several adopted plans, including the Bridge Street Vision Report and the 2007 Community Plan, and are described under the second component of this standard. The applicant has provided conceptual drawings of the proposed construction to replace the demolition. The proposed mixed-use development has two multi-story structures with parking at the lower level. The building south of Wing Hill contains a mix of retail, restaurant, office, and residential units, and the building north of Wing Hill is comprised entirely of residential units. The three floors of residential units are oriented with views toward the Scioto River, and the two floors of commercial space are oriented toward Bridge Street.

This area of the city has been the focus of considerable attention in past studies and adopted plans, and has consistently depicted the redevelopment of this area to achieve several objectives identified in these plans. The foremost among these are the *2007 Community Plan*, and more recently the *Bridge Street Vision Report*, adopted on October 25, 2010.

2007 Community Plan: The Future Land Use Map in the Community Plan designates this area, and the core of the Historic District as a Mixed Use Village Center. This is generally described as an integrated mix of land uses within a pedestrian oriented environment. The proposed mix of uses is generally consistent with the Future Land Use designation of Mixed Use Village Center as identified in the Community Plan.

For Historic Dublin, the Community Plan identifies a goal “To enhance and revitalize Historic Dublin as an activity center within the city that is vibrant, pedestrian-oriented and user friendly with an integrated mix of uses that supports economic, civic, recreational and housing opportunities for all segments of Dublin’s population.”

Historic Dublin Area Plan: The Area Plan for this portion of the Historic District includes the integration of multi-story residential units overlooking the Scioto River, a parking terrace to serve mixed-uses along the River, and at the terminus of North Street, a small pocket park and the commercial reuse of the existing residential structure. A future pedestrian bridge over the Scioto River is also recommended in this area of the Plan, along with public access to a riverfront boardwalk and trail system.

Bridge Street Corridor Study Vision Report: This proposal is addressed as part of the *Bridge Street Corridor Vision Report* which defines the optimal role for the corridor for the future by describing the corridor in a Vision Statement supported by five Vision Principles.

Vision Principles:

The Vision Principles are action-oriented concepts that lead to the fulfillment of the Vision. The Principles provide a framework for decision-making, communicate the intent of the Vision Plan recommendations, and provide a context for addressing critical issues or future decisions not anticipated at this time. Elements of these Principles are met through the proposed redevelopment. The Principles are:

1. Enhance economic vitality: Create vibrant and walkable mixed-use districts that build on the community's quality and character to make a highly competitive place to live, work, and invest.
2. Integrate the new center in the community life: Connect the Bridge Street Corridor to the surrounding community through enhanced bike, pedestrian, auto and transit connections, lively public spaces and a mix of retail and other uses that invite the larger community, and with civic, educational, and other uses to engage the full spectrum of community life.
3. Embrace Dublin's natural setting and celebrate a commitment to environmental sustainability: Celebrate the Scioto River, North/South Indian Run, and other natural features as symbols of Dublin's commitment to environmental preservation and sustainability.
4. Expand the range of choices available to Dublin and the region. Offer housing, jobs, shopping, recreation, transportation and other choices increasingly supported by changing demographics and lifestyles to complement and strengthen Dublin's existing community fabric.
5. Create places that embody Dublin's commitment to community: Design a 21st-century center for community inspired by Historic Dublin and marked by walkability, variety, and vitality.

Historic Dublin District Vision

The site is located within the Historic Dublin District of the *Bridge Street Corridor Vision Report*. Many of the specific design recommendations in the Historic Dublin District Vision Framework for this area build on those identified in the Historic Dublin Area Plan within the *2007 Community Plan* and are incorporated into the proposed redevelopment of this site.

1. Near-term pedestrian and parking improvements as a key element of successful new development to enhance existing conditions.
2. Sensitive mixed-use redevelopment of infill sites with an emphasis on housing as a complement to existing uses.
3. Long-term potential to redevelop the school site as a mixed-use development to complement Historic Dublin's existing core. (Not applicable)

The Historic District Vision also recommends that natural areas and neighborhoods surrounding the district be treated sensitively in all cases and that new development must avoid creating negative impacts in these areas. This statement was added by the City to recognize the existing South Riverview neighborhood.

The proposed redevelopment could contribute greatly to the advancement of all of the Community Plan, and the Bridge Street Vision Principles. The creation of a mixed-use development located centrally in the Bridge Street District and in the heart of Historic Dublin would enhance the economic vitality of Dublin, expand the range of choices and quality of life for residents, and present opportunities to better engage the Scioto River. This project will ultimately improve the overall quality of the Architectural Review District without diminishing the historic value of the vicinity or the District.

PART V: ADMINISTRATIVE REVIEW TEAM RECOMMENDATION

The Administrative Review Team recommends approval of the request for Board Order for Demolition with conditions, as the applicant has effectively demonstrated two of the four standards for Demolition as required by Code, with conditions. The applicant has also included in the introduction portion of the Application self-imposed conditions regarding the timing of the demolition, if approved. These have been incorporated into the ART Recommended Conditions, as noted below in *italics*.

1. That demolition will not occur until:
 - (a) City approval of a proposed design;
 - (b) *Resolution with the City of Dublin on two sites along the river, agreement for improvements to Blacksmith Lane and agreement on several land related issues, i.e. right-of-way revisions, power lines and other normal development issues; and*
 - (c) *Building Permits issued.*